

Message Text

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17
ACTION EUR-12

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NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06

SCCT-01 IO-13 OMB-01 DHA-02 CAB-02 COME-00 DOTE-00

EB-07 CIEP-01 FAA-00 SY-05 /091 W
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R 040947Z AUG 76
FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 2900
AMCONSUL FRANKFURT
AMCONSUL STUTTGART

C O N F I D E N T I A L USBERLIN 1609

E.O.11652: GDS
TAGS: PFO, PGOV, PINS, WB, GW
SUBJECT: TRANSPORT OF TERRORIST PRISONERS FROM BERLIN

REF: USBERLIN 756

1. SUMMARY: SENAT TRANSFERRED TWO CONVICTED WOMEN TERRORISTS TO SCHLESWIG-HOLSTEIN AND A THIRD TO FRANKFURT AUGUST 3 THUS SUCCEEDING PARTLY IN OBJECTIVE OF REDUCING CONCENTRATION OF SUCH PRISONERS IN BERLIN JAILS. FLIGHT WAS SPECIAL CHARTER FLOWN BY AEROAMERICA AFTER PAN AM REFUSED TO FLY PRISONERS ON REGULAR FLIGHT OR MAKE CHARTER AVAILABLE. END SUMMARY.

2. WE REPORTED REFTEL THAT SENAT TRANSFERRED TWO CONVICTED FEMALE MEMBERS OF BAADER-MEINHOF GANG TO HESSE IN EARLY APRIL AND HOPED SOON THEREAFTER TO BE ABLE TO SEND TWO ADDITIONAL PRISONERS TO BADEN-WUERTENBERG. FOR REASONS STILL HOTLY IN DISPUTE BETWEEN FORMER SENATOR FOR JUSTICE OXFORD AND AUTHORITIES IN STUTTGART, THIS TRANSFER NEVER CAME OFF, AND SUBJECT OF SENAT'S EFFORTS TO REDUCE CONCENTRATION OF TERRORIST PRISONERS BECAME FRONT-PAGE NEWS
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IN WAKE OF ESCAPE OF FOUR PRISONERS LAST MONTH. SENAT

HAD ACCORDINGLY BEEN WORKING HARD AT FINDING FRG LAND WILLING TO TAKE SEVERAL OF THE BAADER-MEINHOF PEOPLE OFF ITS HANDS.

3. SCHESWIG-HOLSTEIN EVENTUALLY AGREED TO TAKE PAIR, BUT WOMEN DELAYED THEIR DEPARTURE BY FILING APPEAL IN KAMMERGERICHT. IMMEDIATELY AFTER HE WAS SWORN IN TO SUCCEED OXFORT, NEW SENATOR FOR JUSTICE BAUMANN RULED THAT PRISONERS SHOULD BE TRANSFERRED AT ONCE WITHOUT WAITING FOR FINAL COURT DECISION. PAN AM, HOWEVER, WHICH IS ANGERED THAT TWO TRANSFERS IN APRIL WERE ACCOMPLISHED BY POLICE WITHOUT AIRLINE'S ADVANCE KNOWLEDGE, REFUSED TO PERMIT USE OF EITHER REGULARLY SCHEDULED FLIGHT (PRISONERS WOULD HAVE TRAVELLED IN CIVILIAN CLOTHES UNDER FOUR-MAN POLICE GUARD) OR TO MAKE CHARTER AVAILABLE. LOCAL PAN AM CHIEF GALLAGHER CITED STANDING COMPANY INSTRUCTIONS TO AVOID INVOLVEMENT IN TRANSPORT OF TERRORISTS OR OTHER "POLITICAL" PRISONERS LEST AIRLINE BECOME TARGET OF EXTREMIST ACTIONS. MISSION RECEIVED FEELERS FROM SENATOR FOR JUSTICE'S OFFICE ON WHETHER WE WOULD SEEK TO CHANGE PAN AM'S MIND OR EXPLORE POSSIBILITY OF MILITARY TRANSPORT. WE INDICATED IT WAS PREMATURE TO CONSIDER OTHER OPTIONS BEFORE ALL POSSIBILITIES OF FLIGHT ON OTHER SCHEDULED OR CHARTER CARRIER WERE EXHAUSTED. ULTIMATELY BA AND AIR FRANCE AS WELL AS BRITISH CHARTER CARRIERS DAN AIR AND LAKER ALL REJECTED SENAT ADVANCES. AEROAMERICA, HOWEVER, AGREED AND PERFORMED FLIGHT AFTER WEEK'S DELAY NECESSITATED BY COMBINATION OF LOGISTICAL AND MECHANICAL FACTORS. BERLIN PRESS CARRIED DETAILS OF TRANSFER AUGUST 3 WITHOUT EXPLICITLY IDENTIFYING AEROAMERICA AS CARRIER.

4. TWO GIRLS TRANSFERRED TO SCHLESWIG-HOLSTEIN (LUEBECK) WERE BRIGITTE ASDONK AND ANNEROSE REICHE, BOTH SERVING MULTIPLE YEAR SENTENCES FOR BANK ROBBERY IN CONNECTION WITH BAADER-MEINHOF ACTIVITIES. SENAT ALSO TRANSFERRED THIRD WOMAN, WITH MORE DISTANT LINKS TO BAADER-MEINHOF ACITIVITY. VERA BARZEL, WHO WAS FLOWN ON TO FRANKFURT. SHE WILL BE RETURNED TO BERLIN SEPTEMBER 29 IN ORDER TO PERMIT HER TO APPEAR IN COURT WHERE SHE IS APPEALING A CONVICTION INVOLVING AN EIGHT MONTH JAIL TERM. ASDONK AND REICHE WILL, CONFIDENTIAL

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OF COURSE, HAVE TO BE RETURNED TO BERLIN IF KAMMERGERICHT EVENTUALLY RULES THEIR TRANSFER WAS ILLEGAL. COURT GAVE STRONG HINT, HOWEVER, THAT IT WILL EVENTUALLY CONCUR IN TRANSFER, AS IT DID FOR TWO TRANSFERS LAST APRIL, WHEN IT REFUSED REQUEST BY LAWYERS OVER WEEKEND FOR TEMPORARY INJUNCTION BARRING FLIGHT.

5. COMMENT: EFFORTS TO THIN OUT BERLIN'S HOLDINGS IN

MALE TERRORISTS ARE STILL HAMPERED BY FACT THAT ORIGINAL
KAMMERGERICHT RULING LAST APRIL JUSTIFIED TRANSFER ONLY
ON GROUNDS OF CROWDED CONDITIONS IN WOMEN'S PRISON. MOST
RECENT THREE TRANSFERS, HOWEVER, PERMIT SENAT TO DEMON-
STRATE SOME SUCCESS IN EFFORT TO EASE DIFFICULT SITUATION
IN WOMEN'S PRISON WHICH HAS BEEN FOCUS OF MAST ATTENTION
SINCE JULY ESCAPE. GEORGE

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